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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/111,803	07/08/1998	HIDEO FUKUCHI	JAO-40854	6225
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OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER CHUNG, DANIEL J	
			ART UNIT	PAPER NUMBER
			2672	
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44

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/111,803

Applicant(s)

FUKUCHI, HIDEO

Examiner

Daniel J Chung

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-14, 18, 22 and 34-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-14, 18, 22 and 34-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 9-14,18,22 and 34-65 are presented for examination. Claims 1-8,15-17,19-21 and 23-33 have been cancelled and claims 34-65 have been added by the amendment filed on 3-12-2004. This office action is in response to the amendment filed on 3-12-2004.

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on January 28, 1997. It is noted, however, that applicant has not filed a certified copy of the Priority application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-14,22,34-35,37-44,46-48,50-57,59-62 and 64-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumura (5,936,545) in view of Rossmann (6,147,670).

Regarding claim 9, Tsumura discloses that the claimed feature of an information display apparatus, comprising: a display unit [10] that displays information [i.e.

“character data”]; display control [9] means for controlling a display operation of said display unit; an operating unit [5] for designating a display operation of said display unit, said display control means causing said display unit to form a fixed display when an amount of information to be displayed is not greater than a number of lines displayable on said display unit in one frame (See Abstract, Fig 3-4); display control means causing said display unit to automatically form a vertical scrolling display a plurality of times continuously when an amount of information to be displayed exceeds a number of lines displayable on said display unit in one frame, the operation of automatically forming a scrolling display a plurality of times continuously being provided by virtue of automatic operation of the display control means and operating unit without manual operation of a user (See Fig 1A-1D, Fig 3A-3D, Fig 5A-B, col 1 line 31-61, col 2 line 13-19 in Rossmann), wherein the display unit, the display control means, the operating unit and the informing means are integrated into the telecommunication device and the telecommunication device is portable on the user [i.e. Radio-paging receiver], and a communication circuit [“radio paging receiver”] for receiving a signal via an antenna unit [“antenna”; 1], communication circuit for receiving information, wherein the information received via communication circuit being displayed on display unit [10, 10A] in response to display control means [9,5]. (See Abstract, Fig 1, Fig 3, Fig 4, col 1 line 54-col 2 line 54)

Tsumura does not specifically disclose that “automatically forming a vertical scrolling display a plurality of times continuously.” However, such limitation is shown in

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the teaching of Rossmann. (See Fig 1A-1D, Fig 3A-3D, Fig 5A-B, col 1 line 31-61, col 2 line 13-19) [i.e. "the text automatically scrolls vertically," See col 2 line 15] The motivation would have been to provide the convenient way to see next unrevealed information for user. Also, the function of automatic scrolling will advantageously save the time and cost by eliminating the step of user's operations such as moving the mouse and pressing the button, as it will allow the user to see next unrevealed information without any delay. Therefore, it would have been obvious to one skilled in the art to incorporate "the automatic vertical scrolling display" of the teaching in Rossmann into the teaching of Tsumura, as such improvement is also advantageously desirable in the teaching of Tsumura for "realizing an optimum display pattern satisfying both of two essential requirements (i.e. handiness and visibility) in the radio-paging receiver." (See col 2 line 14-16 in Tsumura)

Regarding claim 10, Tsumura discloses that display control means causing said display unit to display information formed of a group of characters vertically or horizontally over a plurality of lines. (See Abstract, Fig 3-4)

Regarding claim 11, refer to the discussion for claim 4 hereinabove, Rossmann discloses that display control means changing a scroll speed for forming the scrolling display in accordance with an operation performed on said operating unit. (See Abstract, Fig 1A-1D, Fig 3A-3D, Fig 5A-B, col 2 line 13-19)

Regarding claim 12, refer to the discussion for claim 4 hereinabove, Rossmann discloses that display control means changing the scroll speed in accordance with an operation externally performed on said operating unit, the operation providing an instruction to change a predetermined scroll speed determined at the start of the scrolling display. (See Abstract, Fig 1-7, col 1 line 10-40, col 3 line 31-39)

Regarding claim 13, refer to the discussion for claim 4 hereinabove, Rossmann discloses that display control means presetting the scroll speed determined at the start of the scrolling display by operation of a switch button on said operating unit. (See Abstract, Fig 1-7, col 1 line 10-40, col 3 line 31-39)

Regarding claim 14, refer to the discussion for claim 4 hereinabove, Rossmann discloses that display control means causing said display unit to form [a demonstration display] at a currently set scroll speed, the scroll speed being determined at the start of the scrolling display by said operating unit. (See Abstract, Fig 1-7, col 1 line 10-40, col 3 line 31-39)

Rossmann does not explicitly disclose that “ demonstration display at a currently set scroll speed.” However, it would have been obvious to one having ordinary skill in the art at the time of Applicant 's invention, because using a demonstration display will advantageously allow the user to set the scrolling speed with easy manner.

Regarding claim 22, Tsumura discloses that communication circuit ["radio paging receiver"] receiving an individually selective calling signal or a message via antenna unit [1]. (See Fig 1)

Regarding claim 34, refer to the discussion for the claim 9 hereinabove, Tsumura discloses that the operating unit [5,9] receives input to display information. (See Fig 1)

Regarding claim 35, Tsumura does not specifically disclose that telecommunication device is a wrist-fit-type. however, Examiner takes official notice that wrist-mounted communication device [i.e. "watch pager system"] is well know in an analogous art, (See newly submitted references herein; US 6,158,884, US 6,134,428, US 5,537,407) in order to provide improved portability of communication device, as such improvement is also advantageously desirable in the teaching of Tsumura for "realizing an optimum display pattern satisfying both of two essential requirements (i.e. handiness and visibility) in the radio-paging receiver." (See col 2 line 14-16 in Tsumura)

Regarding claim 37, Tsumura discloses that the information to be displayed on display units are characters, each character formed by a matrix of dots, the number of dots in a vertical length is greater than the number of dots in a horizontal direction length. (See col 4 line 33-59, col 4 line 64-col 5 line 3)

Regarding claim 38, refer to the discussion for the claim 9, Rossmann discloses that the display unit forms a scrolling display that incrementally displays one or more rows of dots sufficient to display a font. (See Abstract, Fig 1A-1D, Fig 3A-3D, Fig 5A-B, col 2 line 13-19)

Regarding claims 39-44, claims 39-44 are similar in scope to the claims 9-14, and thus the rejections to claims 9-14 hereinabove are also applicable to claims 39-44.

Regarding claims 46-48 and 50-51, claims 46-48 and 50-51 are similar in scope to the claims 22,34-35 and 37-38, and thus the rejections to claims 22,34-35 and 37-38 hereinabove are also applicable to claims 46-48 and 50-51.

Regarding claims 52-57, 59-61 and 62-63, claims 52-57, 59-61 and 62-63 are similar in scope to the claims 39-44,46-48 and 50-51, and thus the rejections to claims 39-44,46-48 and 50-51 hereinabove are also applicable to claims 52-57, 59-61 and 62-63.

Claims 18,36,45,49,58 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumura (5,936,545) in view of Rossmann (6,147,670), and further in view of Matthews et al (5,677,708)

Regarding claim 18, the combination of Tsumura and Rossmann do not explicitly disclose that “means for informing to a user when information to be displayed exceeds the number of lines displayable on display unit in one frame”. However, such limitation is shown in the teaching of Matthews [“arrow tab”; 162,164,195-198] (See Abstract, Fig 5- Fig 11, col 3 line 60-col 4 line 17, col 14 line 41-col 15 line 4) It would have been obvious to one skilled in the art to include “arrow tab” of Matthews into the teaching of Tsumura, in order to effectively “provide the user with an instinctive indication that additional items exist beyond those displayed in the control object” (See col 4 line 60-63 in Matthews), as such improvement is also advantageously desirable in the teaching of Tsumura for “realizing an optimum display pattern satisfying both of two essential requirements (i.e. handiness and visibility) in the radio-paging receiver.” (See col 2 line 14-16 in Tsumura), thereby displaying maximum display contents within limited display area with optimized manner. Furthermore, implementing a scroll bar, when display content exceed the size limitation of display unit, is well known in the art. As to the on-line dictionary, scroll bar is defined as “in some graphical user interfaces, a vertical or horizontal bar at the side or bottom of a display area that can be used with a mouse for moving around in that area”. Therefore, it would have been obvious to one skilled in the art to automatically show a “scroll bar” whenever the size of content information is larger than the size of display device.

Regarding claim 36, refer to the discussion for the claim 18 hereinabove, Matthews discloses that means for informing to a user when information to be displayed exceeds the number of lines displayable on display unit in one frame. (See Abstract, Fig 5- Fig 11, col 3 line 60-col 4 line 17, col 14 line 41-col 15 line 4)

Regarding claims 45 and 49, claims 45 and 49 are similar in scope to the claims 18 and 36, and thus the rejections to claims 18 and 36 hereinabove are also applicable to claims 45 and 49.

Regarding claims 58 and 63, claims 58 and 63 are similar in scope to the claims 45 and 49, and thus the rejections to claims 45 and 49 hereinabove are also applicable to claims 58 and 63.

Response to Arguments/Amendments

Applicant's arguments and amendments received on 3-12-2004 have been carefully considered. However, they do not overcome the previous rejections, which have been maintained. Thus, the finality of this office action is deemed proper.

Applicant argued that the cited references do not disclose that "automatically forming a vertical scrolling display a plurality of times continuously." However, such limitation is shown in the teaching of Rossmann. (See Fig 1A-1D, Fig 3A-3D, Fig 5A-B, col 1 line 31-61, col 2 line 13-19) [i.e. "the text automatically scrolls vertically," See col 2

line 15], as broadly claimed by applicant. Furthermore, Applicant argued that “the radio-paging receiver” of Tsumura is not portable on the user. However, it was well known in the art that electronic pager usually placed into the user’s pocket or user’s hand or onto the belt. Furthermore, Tsumura specifically suggested that “realizing an optimum display pattern satisfying both of two essential requirements (i.e. handiness and visibility) in the radio-paging receiver.” (See col 2 line 14-16 in Tsumura), in order to improve the portability of radio paging receiver.

Conclusion

Applicant's response and amendment are not persuasive and the previous grounds of rejection have been maintained. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9306 (Central fax)

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc
May 28, 2004


JEFFERY BRIEN
PRIMARY EXAMINER